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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kenneth T. Heruth; Confirmation No. 8232  
Keith A. Miesel  
Serial No.: 10/825,964 Filed: April 15, 2004  
Examiner: Matthew Dutton Dryden Group Art Unit: 3736  
Docket No.: 1023-360US01 Customer No.: 28863  
Title: DETECTING SLEEP

CERTIFICATE UNDER 37 CFR 1.8: I hereby certify that this correspondence is being deposited with the United States Post Service, as First Class Mail, in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450 on June 14, 2006.

By: Connie M. Scheff  
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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendments  
Commissioner for Patents  
Alexandria, VA 22313-1450

Dear Sir:

Applicant submits the references listed on the attached form PTO-1449. This Information Disclosure Statement is being filed after a first Office Action on the merits but before a Notice of Allowance or a Final Rejection.

Applicant has enclosed a copy of each article cited and each foreign document cited. Copies of the U.S. patents are not enclosed as this requirement has been waived by the U.S. Patent Office.

Our check in the amount of \$180.00 is enclosed to cover the required fee set forth in §1.17(p) for a large entity. Please apply any other charges or credits to Deposit Account No. 50-1778.

Respectfully submitted,

Date: 6-14-06

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<b>Form 1449*</b>  <b>INFORMATION DISCLOSURE STATEMENT</b>  <b>IN AN APPLICATION</b> (Use several sheets if necessary)	Docket Number: 1023-360US01	Application Number: 10/825,964
	Applicant: Kenneth T. Heruth; Keith A. Miesel	
	Filing Date: April 15, 2004	Group Art Unit: 3736
	Examiner Name: Matthew Dutton Dryden	



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<b>EXAMINER</b>	<b>Date Considered</b>
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\*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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		Examiner Name: Matthew Dutton Dryden			
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<b>EXAMINER</b>			<b>Date Considered</b>		
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